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FILED
Superior Court of California
County of Los Angeles

DEC 08 2016

Sherri R. Carter, Executive Officer/Clerk
By Judi Lara, Deputy

Attorneys for Petitioners MARLENE OKULICK; JOHN
OKULICK; LOUIS TRAEGER, THE ROGER AND
JEAN-MARIE WEBSTER TRUST, KENDELL
SHAFFER, JEFFERSON ELIOT and KEVIN RAGSDALE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

BS166558

MARLENE OKULICK, an individual;
JOHN OKULICK, an individual; LOUIS
TRAEGER, an individual; THE ROGER
AND JEAN-MARIE WEBSTER TRUST,
a revocable trust dated June 10, 1983;
KENDALL SHAFFER, an individual;
JEFFERSON ELIOT, an individual;
KEVIN RAGSDALE, an individual,

Petitioners,

vs.

CITY OF LOS ANGELES, a municipal
corporation; VENICE BEACH BUSINESS
IMPROVEMENT DISTRICT, a special
assessment district in the City of Los
Angeles; and DOES 1 through 50,
inclusive,

Respondents.

CASE NO.

**VERIFIED PETITION FOR WRIT OF
MANDAMUS AND DECLARATORY
RELIEF**

DEPT. 85
JAMES C.
CHAFFAN

CIT/CASE: BS166558
LEA/DEF#:
RECEIPT #: CCH520872095
DATE PAID: 12/08/16 03:38 PM
PAYMENT: \$435.00
RECEIVED:

CHECK: \$435.00
CASH: \$0.00
CHANGE: \$0.00
CARD: \$0.00

ORIGINAL

VERIFIED PETITION

12/08/2016

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1 7. Petitioners Kendell Shaffer and Jefferson Eliot are individuals and owners of the
2 property commonly known as 236 Westminster Avenue, Venice CA 90291, which is situated in
3 the Venice BID and is subject to the Venice BID's special assessment.

4 8. Petitioner Kevin Ragsdale is an individual and owner of the property commonly
5 known as 1322 Innes Place, Venice, CA 90291, which is situated in the Venice BID and is
6 subject to the Venice BID's special assessment.

7 9. Respondent City of Los Angeles (the "City") is a municipal corporation situated in
8 California.

9 10. Respondent Venice Beach Business Improvement District is a special assessment
10 district in the City of Los Angeles.

11 11. Petitioners are ignorant of the true names and capacities, whether individuals,
12 corporations, partnerships, joint ventures, sole proprietorships or otherwise, of Respondents
13 DOES 1 through 50 inclusive, and therefore name those respondents by such fictitious names.
14 Petitioners will amend this pleading to show the true names and capacities of said DOE
15 Respondents when they become known. Petitioners are further informed and believes, and on
16 that basis alleges, that the fictitiously named Respondents identified in each cause of action herein
17 are responsible in some manner for the occurrences and wrongdoing alleged in the respective
18 causes of action, and that Petitioners' injuries were proximately caused by the acts of each such
19 DOE Respondent. Petitioners are further informed and believes, and thereon alleges, that at all
20 times herein mentioned, DOES 1 through 50 inclusive were the agents, servants, and/or
21 employees of the other Respondents, and in doing the things hereinafter alleged, were acting
22 within the scope of their authority as agents, servants, and employees, and with the permission
23 and consent of the other Respondents.

24 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

25 12. Petitioners have exhausted administrative remedies necessary to maintain this
26 action.

27 **BUSINESS IMPROVEMENT DISTRICTS**

28 13. A business improvement district (a "BID") is a designated geographic area formed

1 to permit property owners within the district to self-impose taxes in order to improve business
2 conditions. As the California legislature explained, "businesses located and operating within the
3 business districts of this state's communities [that] are economically disadvantaged, are
4 underutilized, and are unable to attract customers due to inadequate facilities, services and
5 activities in the business districts." Streets and Highways Code § 36501. Basically, BIDs are
6 supposed to help "clean up" blighted urban areas and revitalize moribund commercial
7 neighborhoods.

8 14. To achieve the goal of fostering a business-friendly environment, BIDs provide
9 services aimed at encouraging retail foot traffic. Typically, the BID assessments pay for services
10 such as security patrols, street clean-up teams and general public relations.

11 15. The defining feature of a BID is that it is a voluntary, self-imposed tax district. As
12 the City of Los Angeles' official BID Policy and Implementation Guidelines (the "City
13 Guidelines") explain, "The process of establishing a BID is, first and foremost, a process which
14 must originate from and be developed by the business community itself."

15 16. BIDs have done quite a bit of good in many different communities. A good BID
16 can encourage economic growth and enhance the quality of life for the residents. But a BID that
17 is foisted upon the community, such as the Venice BID, burdens the citizens with high taxes for
18 services that it does not need or want. Residents and landlords who own properties in the Venice
19 BID are forced to subsidize the commercial activities of businesses in their neighborhood in the
20 form of a special assessment.

21 THE LAWS GOVERNING BIDS

22 17. The California Constitution protects taxpayers' rights. In 1978, the voters
23 approved the popular referendum known as Proposition 13, and which was added to the
24 Constitution as Article XIII A. Among other things, Proposition 13 limits ad valorem property
25 taxes to one percent of a property's assessed valuation and limits increases in the valuation to two
26 percent per year until the property changes hands. Proposition 13 also prohibits local
27 governments from enacting any special tax without a two-thirds approval of the electorate.

28 18. But Proposition 13 contained a loophole. While local governments were restricted

1 in their ability to impose special taxes, they could still impose special “assessments” or “fees” for
2 local projects, such as the maintenance of neighborhood parks.

3 19. Proposition 218, approved by the electorate in 1996, closed the loophole.
4 Proposition 218 (Cal. Const. Art. XIII C and D) provides that “No assessment shall be imposed
5 on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on
6 that parcel.” Proposition 218 defines a “special benefit” as “a particular and distinct benefit over
7 and above the general benefits conferred on real property located in the district or to the public at
8 large.”

9 20. In addition to providing special benefits, a BID’s assessment scheme must also
10 meet the “proportionality” requirement. As the Court of Appeal has explained, “the assessment
11 must be in proportion to, and not greater than, the special benefit conferred on the property
12 assessed.” *Beutz v. County of Riverside*, 184 Cal. App. 4th 1516, 1521 (2010). To satisfy the
13 proportionality requirement, the local agency must establish that “the aggregate assessment
14 imposed on all parcels is distributed among all assessed parcels in proportion to the special
15 benefits on each parcel.” *Id.* at 1522.

16 21. A BID is a commercial enterprise intended to boost revenues for local businesses.
17 For this reason, residential properties are exempt from special assessments for BIDs. Section
18 36632 of the California Streets and Highways Code provides: “Properties zoned solely for
19 residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit
20 from the improvements and service funded through these assessments, and shall not be subject to
21 any assessment pursuant to this part.”

22 22. The procedures required for the establishment of a BID are spelled out in the
23 Streets and Highways Code and in the City Guidelines.

- 24 a. “*Grass roots*” organizing. The City Guidelines describe the initial,
25 exploratory phase of the BID formation process. “The proponents of a BID
26 must initially demonstrate that the businesses and/or property owners have
27 an interest in the formation of a BID. The City highly recommends this
28 ‘grass roots’ involvement of business and/or property owners...”

12/08/2016

- 1 b. *The petition.* The BID formation process cannot proceed unless the
2 proponents obtain the support of the community in the form of a “written
3 petition, signed by the property or business owners in the proposed district
4 who will pay more than 50 percent of the assessments proposed to be
5 levied.” Streets and Highways Code § 36621(a).
- 6 c. *The District Management Plan.* If the BID proponents are able to obtain
7 the required petition of support, they must submit to the city a management
8 district plan that includes, among other things, a map and a description of
9 the boundaries of the district, a description of the activities and/or
10 improvements and the total amount of the assessments during the life of the
11 district (for property-owned BIDs, the term is five years). Streets and
12 Highways Code §36622
- 13 d. *City’s review of the BID materials.* Under the City’s District Formation
14 Activity Guidelines (distinct from the City Guidelines), “The work
15 program, the schedule of activities, the ratio of expenses to service
16 activities allocations, the budget, and the assessment methodology are
17 reviewed in the Special Assessments Unit. Verification of petitions is also
18 performed at this time. Legal issues are discussed with the City Attorney.”
- 19 e. *The BID election.* If the City approves the district management plan and
20 verifies the petition, it then sends to each property owner in the proposed
21 district: (i) a notice of public hearing wherein the establishment of the
22 proposed BID will be considered, with input from the community; and (ii)
23 a ballot that allows the property owner to vote “yes” or “no” on the
24 proposed BID. Streets and Highways Code §36623
- 25 f. *The hearing and City Council’s vote.* At the public hearing, members of
26 the public may express their support or opposition to the proposed BID.
27 The BID establishment ordinance is defeated if there are more weighted
28 “no” votes received than weighted “yes” votes. Cal. Const. Art. XIII D §

1 4(e). Further, under the City Guidelines, "BID proponents are cautioned
2 that they should not expect a favorable vote from the City Council with a
3 significant number of protests."

4 g. If a BID is established in Los Angeles, the assessments are collected by the
5 County of Los Angeles.

6 **THE VENICE BID'S ACTIVITY PLAN DOES NOT CONFER SPECIAL BENEFITS**

7 23. The Management District Plan and the accompanying Engineer's Report for the
8 Venice BID (referred to collectively as "the Plan") describe the services that will be provided to
9 the Venice BID: (i) "Clean and Safe Programs"; (ii) District Identity & Special Projects; and (iii)
10 Administration and Management.

11 24. The "Clean & Safe Programs" account for 73 percent of the annual budget. The
12 "Safe" initiative, as its name suggests, aims to enhance the safety of the Venice Boardwalk and
13 neighboring community. As the Plan explains:

14 *Safe* encompasses all patrol/ambassadorial services in the District and includes: personnel
15 on foot, bike, or other vehicles (e.g., segways, trucks, etc.), ambassadors (specially trained
16 personnel able to provide directions, transit information, business information, event
17 information, social service referrals, etc.), emergency assistance, crowd control, crime
18 prevention activities (e.g., Neighborhood Watch), escort services and distribution of
19 special bulletins (e.g., street closures, emergency alerts).

20
21 25. Safety, while a laudable goal, is a quintessentially *general* benefit. Safety benefits
22 all – the owners of properties situated in the District, the non-property-owning residents of the
23 District and visitors to the District – in the same manner. Safety cannot be tied in a quantifiable
24 manner to a particular property. Nor can the proportionate benefit of safety be calculated and
25 assessed to a specific property, as Proposition 218 requires.

26 26. The "District Identity & Special Projects" accounts for seven percent of the annual
27 budget. This initiative is aimed at promoting the neighborhood as an appealing place to shop,
28 dine and do business through newsletters and media relations. The Plan acknowledges that "some

1 government owned/occupied parcels and facilities *will not* specially benefit from this program
2 element and thus, *shall not* be assessed for these programs.” (Emphasis in original.) That same
3 rationale applies with equal force to any non-commercial parcel, including residential properties
4 (however zoned). Under the Plan, each property owner would be assessed for this commercial
5 enterprise, even if the property is being used for non-commercial purposes.

6 27. “Administration and Management” accounts for 20 percent of the annual budget.
7 Although the Plan describes the categories of costs (including participation in various BID
8 conferences), there is no breakdown of these costs, which will amount to approximately \$374,000
9 for the first year alone. Nor does the Plan explain how such administrative activities will advance
10 the interests of the BID property owners.

11 **THE VENICE BID GERRYMANDERED ITS BOUNDARIES**

12 28. The purpose of a BID is to enhance the commercial environment of a community
13 of similarly situated property owners. Different types of businesses have different needs. Retail
14 businesses, for example, have different needs than manufacturing facilities. A BID cannot
15 effectively serve disparate categories of property owners.

16 29. The boundaries of the proposed Venice BID were drawn without regard to
17 establishing a cohesive BID that would provide meaningful value to the district. Instead, the
18 boundaries of the proposed Venice BID appear to have been drawn in a manner to disenfranchise
19 property owners that oppose the BID.

20 30. Specifically, the Venice BID includes 33 government-owned parcels comprising
21 28.29 percent of the total ownership. With these automatic “yes” votes, the Venice BID needed
22 support from only roughly 22 percent of the weighted private property ownership. This
23 “sandbagging” is at odds with the City’s statement that “The process of establishing a BID is, first
24 and foremost, a process which must originate from and be developed by the business community
25 itself.”
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1 **THE TAXPAYERS DERIVE NO SPECIAL BENEFIT FROM THE**
2 **SERVICES PROVIDED TO CITY PROPERTIES**

3 31. As noted, 28.29 percent of the properties are owned by the City and other public
4 agencies. In other words, taxpayers who do not own property in the Venice BID are paying for
5 over one-quarter of the proposed Venice BID assessments.

6 32. The government-owned properties derive no special benefit from the services that
7 the proposed Venice BID would provide. They are not commercial properties.

8 33. The City has a duty to its taxpayers to evaluate whether the proposed Venice BID
9 will actually confer any special benefits on the City-owned properties. It appears, however, that
10 the City has abdicated this responsibility. The City simply rubber-stamps its approval of
11 whatever the Venice BID proponents put in front of them. The City has done nothing to evaluate
12 whether the proposed Venice BID provides any special benefits to the taxpayer-owned properties.
13 If it had, the City would have reached the conclusion that they will be wasting taxpayer money on
14 the services that the Venice BID proposes to provide to the City-owned properties.

15 **FIRST CAUSE OF ACTION FOR WRIT OF MANDAMUS**

16 34. Petitioners repeat and incorporate the allegations of paragraphs 1 through 34 of
17 this Verified Petition as if fully set forth herein.

18 35. The City violated the law by enacting an ordinance establishing the Venice BID,
19 which violates the law in several respects: (i) it includes residential properties; (ii) the services do
20 not confer special benefits; (iii) to the extent there are any special benefits at all, the amount
21 assessed is not proportional to any such benefits; and (iv) its boundaries have been improperly
22 gerrymandered to disenfranchise property owners who oppose the BID.

23 36. The City also violated the law and abused its discretion when it agreed to pay
24 assessments on the City-owned properties. The Venice BID provides no special benefit to the
25 City-owned properties. Its payment of these assessments is a waste of taxpayer resources. The
26 City abdicated its responsibility to scrutinize the assessments proposed in the Venice BID
27 Management District Plan and simply rubber-stamped its approval.

28 37. Petitioners have exhausted all administrative remedies.

1 38. Because of the Respondents' unlawful acts, Petitioners employed attorneys to
2 bring suit and Petitioners have and will incur substantial attorneys' fees and litigation costs,
3 which Petitioners are entitled recover under Code of Civil Procedure section 1021.5.

4 **SECOND CAUSE OF ACTION FOR DECLARATORY RELIEF**

5 39. Petitioners repeat and incorporate the allegations of paragraphs 1 through 39 of
6 this Verified Petition as if fully set forth herein.

7 40. Because of the conduct of the City, described above, an actual controversy has
8 arisen and now exists as to the legality of the Venice BID.

9 41. Declaratory relief is necessary to clarify the rights and duties among the City, the
10 Petitioners and all the parties involved in this matter of public concern.

11 42. Petitioners desire a judicial determination of the aforementioned issues.

12
13 **PRAYER FOR RELIEF**

14 WHEREFORE, Petitioners pray for judgment as follows:

- 15
16 1. For a Writ of Mandate ordering the City to set aside the ordinance establishing the
17 Venice Beach Business Improvement District for the 2017-2021 term;
18
19 2. For a Writ of Mandate ordering the City to contest the assessment levied against the
20 City-owned properties under the Venice Beach Business Improvement District
21 Management District Plan for the 2017-2021 term;
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23 3. For a Writ of Mandate ordering the Venice BID to re-draw its boundaries in
24 accordance with the law;
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26 4. For a declaration that the proposed Venice BID violates the law;
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28 5. For Petitioners' costs of suit incurred herein;

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6. For Petitioners' reasonable attorneys' fees pursuant to Code of Civil Procedure section 1021.5; and

7. For such other and further relief as the Court deems just and proper.

Dated: December 8, 2016

STEINBRECHER & SPAN LLP
GEOFFREY T. STOVER

By: _____



Geoffrey T. Stover

Attorneys for MARLENE OKULCIK, JOHN OKULICK,
LOUSI TRAEGER, THE ROGER AND JEAN-MARIE
WEBSTER TRUST, KENDELL SHAFFER,
JEFFERSON ELIOT and KEVIN RAGSDALE

12/08/2016

VERIFICATION

I, Marlene Okulick, have read the foregoing Petition and know its contents. I certify that the matters stated in the foregoing document are of my own true knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and was executed this 8th day of December 2016 at Venice, California.

DocuSigned by:
Marlene Okulick

Marlene Okulick BC30708FE47746A...

12/08/2016

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Bar number, and address):

FOR COURT USE ONLY

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GEOFFREY T. STOVER (SB#211715)
445 S. Figueroa St., Suite 2350
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ATTORNEY FOR (Name): Marlene Okulick; John Okulick; Louis Traeger, et al.

FILED
Superior Court of California
County of Los Angeles

DEC 08 2016

Sherri R. Carter, Executive Officer/Clerk

Judi Lara, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 N. Hill St.

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Stanley Mosk

CASE NAME:

Okulick, et al. v. City of Los Angeles, et al.

CIVIL CASE COVER SHEET

☒ **Unlimited** ☐ **Limited**
(Amount demanded exceeds \$25,000) (Amount demanded is \$25,000 or less)

Complex Case Designation☐ **Counter** ☐ **Joinder**Filed with first appearance by defendant
(Cal. Rules of Court, rule 3.402)

CASE NUMBER:

BS166558

JUDGE:

DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☐ Wrongful termination (36)
☐ Other employment (15)

Contract

☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☒ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation
(Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment☐ Enforcement of judgment (20)**Miscellaneous Civil Complaint**

☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): Two

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: December 8, 2016

Geoffrey T. Stover

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—
Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

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Okulick, et al. v. City of Los Angeles, et al.

CASE NUMBER

BS166558

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties reside. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

Auto
TortOther Personal Injury/Property
Damage/Wrongful Death Tort
9107790771

A Civil Case Cover Sheet Category No.	B Type of Action: (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

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Non-Personal Injury/Property
Damage/Wrongful Death Tort

Employment

Contract

Unlawful Detainer
Real Property

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C: Applicable Reasons - See Step 3. Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach - Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels_____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus	2, 8
		<input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2
Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8		
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
<input type="checkbox"/> A6123 Workplace Harassment		2, 3, 9	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case		2, 3, 9	
<input type="checkbox"/> A6190 Election Contest		2	
<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender		2, 7	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2, 3, 8	
<input type="checkbox"/> A6100 Other Civil Petition		2, 9	

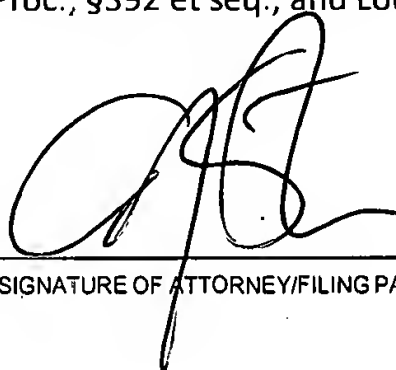
SHORT TITLE: Okulick, et al. v. City of Los Angeles, et al.	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 602 Hampton Dr.		
CITY: Venice	STATE: CA	ZIP CODE: 90291			

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: December 8, 2016


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

12/08/2016